

Date 06/02/08

**Environmental Management Consolidated Business Center (EMCBC)****Subject: EMCBC or Service Level Agreement (SLA) National  
Environmental Policy Act (NEPA) Environmental Impact  
Statements (EIS) Process**

Implementing Procedure

APPROVED: (Signature on File)

EMCBC Director

ISSUED BY: Office of Logistics Management

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**1.0 PURPOSE**

To establish procedures for the drafting, review, and approval of NEPA Environmental Impact Statement Determinations (EISD), Notices of Intent (NOIs), EISs, Records or Decision (RODs), and Mitigation Action Plan (MAP) for actions under the purview of EMCBC/SLA Sites.

**2.0 SCOPE**

The scope of this procedure is to provide a systematic approach to prepare, review, approve revise, and distribute an EIS.

**3.0 APPLICABILITY**

This procedure is applicable to EMCBC/SLA personnel and contractors who deal with drafting, reviewing, or approving EISD, NOIs, EISs, MAPS, or RODs, for actions that are the responsible of EMCBC/SLA Sites.

**4.0 REQUIREMENTS/REFERENCES****4.1 Requirements**

4.1.1 DOE O 451.1B, DOE NEPA Compliance Program

4.1.2 40 CFR Parts 1500-1508, Council on Environmental Quality NEPA

4.1.3 10 CFR Part 1021, DOE NEPA Implementing Procedures

**4.2 References**

4.2.1 EMCBC/SLA PL-451-01, National Environmental Policy Act (NEPA)  
Compliance Program Plan

4.2.2 EMCBC/SLA NEPA IP-451-02, Establishing the Level of National  
Environmental Policy Act Review and Documentation

## 5.0 DEFINITIONS

Refer to Glossary of Terms used in DOE NEPA Documents dated September 1998 located at: <http://www.eh.doe.gov/NEPA/tools/guidance/glossary.pdf>

## 6.0 RESPONSIBILITIES

### 6.1 EMCBC / SLA DIRECTOR

- 6.1.1 Approves EISD for all EMCBC/SLA actions.
- 6.1.2 Performs duties associated with NEPA delegations from Department or Energy (DOE) Headquarters (HQ).
- 6.1.3 Submits NOIs, EISs, ROD, and MAP's to DOE HQ for final approval.

### 6.2 NEPA Compliance Officer (NCO)

- 6.2.1 Concurs and signs the EISD request document.
- 6.2.2 Notifies the regulator (s) in writing that a determination has been made to prepare an EIS.
- 6.2.3 Reviews and concurs on NOI's, EIS's, ROD's, and MAP's.
- 6.2.4 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EIS.
- 6.2.5 Participates in the review of contractor deliverables with respect to NEPA EIS Compliance.

### 6.3 Contracting Officer (CO)

- 6.3.1 Receives project – related deliverables.
- 6.3.2 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EA.
- 6.3.3 Ensures contractor compliance with the Task Order Statement of Work (SOW) through completion.

### 6.4 Contracting Officer's Representative (COR)

- 6.4.1 Develops NEPA Task Order SOW with NDM, NCO, and other NEPA Project team members.
- 6.4.2 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EIS,

- 6.4.3 Ensures contractors compliance with the Task Order SOW through completion.

## 6.5 NEPA Document Manager

- 6.5.1 Prepares cover memorandum to accompany the EISD request document, NOI, ROD, and MAP through the EMCBC/SLA NEPA concurrence chain.
- 6.5.2 Prepares the NOI with support from the NEPA Contractor.
- 6.5.3 Verifies that the EISD, ROD, MAP, request document contains the appropriate level of NEPA review, the description of the proposed action is accurate, and the document is otherwise adequate. The NDM initials on the concurrence chain to signify that the document meets the above criteria.
- 6.5.4 Oversees preparation of EIS to ensure the production of an adequate document.
- 6.5.5 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EIS.
- 6.5.6 Assembles NEPA Project Team.

## 6.6 Contractor

- 6.6.1 Prepares EISD when requested by the COR.
- 6.7.2 Submits an Organizational Conflict of Interest (OCI) statement to the CO prior to the awarding of the work. The contractor selected must not have an interest in the outcome of the project.

## 6.7 Office of Chief Counsel (OCC)

- 6.7.1 Reviews and concurs on the EAD and Environmental Checklist and identifies any potential legal issues.
- 6.7.2 Reviews and concurs on EAs and FONSIIs.

## 6.8 NEPA Project Team –

- 6.8.1 Reviews and concurs on EISD request, EIS, RODs, and MAPs.
- 6.8.2 NEPA Project Team. The project team is assembled by the NDM. Members of the project team could include:
  - EMCBC/SLA Program/Project Manager;
  - EMCBC/SLA NCO or representative designated by NCO;

- EMCBC/SLA Counsel (OCC)
- EMCBC/SLA and/or Contractor Community/Public Relations Specialist;
- Site Contractor Program/Project Manager;
- Site Contractor Project/Design Engineer;
- NEPA Contractor Project Manager;
- Contractor Environmental / NEPA Specialist; and
- Other Environmental and Technical Specialist from EMCBC/SLA. Depending on the complexity, degree of public concern or the level of controversy regarding an action, the NDM may decide to include the HQ Program Manager as a representative on the project team.

## 7.0 PROCEDURE

### 7.1 Environmental Impact Statement / Record of Decision

An EIS is an assessment document that generally includes considerably more analysis and public review than as Environmental Assessment (EA). The decision document resulting from an EIS is a ROD. The standard format given below (from Title 40 Code of Federal Regulations [CFR] 1502.10) is used unless there is a compelling reason to do otherwise.

The steps involved in the preparation of an EIS are shown in Attachment 1, EIS Process Flow, at the end of this procedure. The EIS should be prepared in accordance with the Recommendations for the Preparation of environmental Assessments and Environmental Impact Statements, second edition, December 2004, [http://www.eh.doe.gov/nepa/tools/guidance/green\\_book2004\\_12\\_30final.pdf](http://www.eh.doe.gov/nepa/tools/guidance/green_book2004_12_30final.pdf).

7.1.1 EIS Determination - The EMCBC/SLA Director makes a determination that an EIS is required and that:

- The proposed activity meets the criteria for preparation of an EIS in accordance with the DOE NEPA Rule, Subpart D of Part 1021.
- The proposed activity does not fit under a category of activities listed in Subpart D, but the EMCBC/SLA Director is reasonably certain that an EA would not support a Finding of No Significant Impacts (FONSI); or
- After preparing an EA, the EMCBC Director decides that the Environmental impacts of the proposed action are significant.

### 7.1.2 Conduct Internal Scoping

The purpose of internal scoping for an EIS is to identify the preliminary issues related to the proposed action and to establish the project team which will guide the preparation of the EIS. The scoping process should involve a team representing all necessary departmental elements. The NDM will conduct internal scoping early in the EIS process and it should precede the public scoping process that begins with publications of a NOI.

7.1.2.1 Internal scoping process will include the adoption of a proposed schedule for the preparation of the NEPA document and a public participation plan tailored to the proposed project.

7.1.2.2 For each EIS, the schedule established during the internal scoping process will, absent of any extraordinary circumstances, provide for the completion of a final EIS within 15 months of the issuance of the NOI.

### 7.1.3 Prepare and Issue Notice of Intent

7.1.3.1 After the EISD has been approved, the NDM (with support from NEPA contractor; if applicable) submits an NOI to prepare an EIS for publication in the Federal Register. A typical NOI contains the following sections:

- Agency
- Action: NOI to prepare an EIS
- Summary
- Invitation to Comment
- Address where to send comments or requests to speak at scoping meetings
- Date: Deadline for comments or requests
- Background Information
- Description of Proposed Action
- Alternatives Proposed for Consideration
- Identification of Environmental Issues
- Related Documentation
- Scoping Meetings

7.1.3.2 On receipt of a draft NOI, the COR or NDM in consultation with EMCBC/SLA NCO:

- Ensures the NOI complies with the requirements set for the in the Council on Environmental Quality (CEQ) Regulations and the DOE NEPA Rule.
- Ensures the NOI contains a clear description of the proposed action and possible alternatives.

- Ensures the NOI describes DOE's proposed scoping process, including scoping meetings to be held, with date, time, and location, if applicable.
- Ensures the NOI contains the name and address of a person within the Site or Program Office who can answer questions about the proposed action and the EIS. (In many cases, this person will be the COR, although other personnel may be delegated this responsibility.)
- Reviews the NOI for grammar, spelling and format. NDM confers with the COR and NCO or other NEPA staff before returning NOI to contractor for revision, if necessary. (This step may be repeated until the NOI is correct).
- A cover memorandum is prepared by the COR or NDM to transmit the NOI from the EMCBC/SLA Directors to the Secretarial Officer (SO); the EMCBC/SLA NCO, who starts it up the concurrence chain to EMCBC/SLA Director. The EMCBC/SLA Director transmits the memorandum and the NOI to the NCO who sends it to HQ.

#### 7.1.4 Invite Cooperating Agencies to Participate

The NDM will consult, when necessary, with the U.S. Fish and Wildlife Service; the U.S. Army Corps of Engineers and appropriate state agencies under Section 404 of the Clean Water Act and with the State Historic Preservation Offices under Section 106, National Historic Preservation Act consultations to identify potential environmental consequences of a proposed action. EMCBC/SLA NEPA staff will seek the cooperation of other potentially interested agencies, including Federal, State, local tribal and non-governmental entities.

#### 7.1.5 Conduct Public Scoping

The purpose of public scoping as part of the EIS process is to give the public the opportunity to provide input on the scope of issues to be addressed in the EIS and to identify significant issues related to the proposed action. The requirements and recommendations for the EIS public scoping process are presented in Section 4 of *Effective Public Participation under the National Environmental Policy Act*  
<http://www.eh.doe.gov/nepa/tools/guidance/subpart2.html>.

7.1.5.1 Publication of the NOI in the Federal Register begins the scoping process for an EIS.

7.1.5.2 The scoping process for an EIS shall allow a minimum of 30 days from the date the NOI is published for the receipt of comments. DOE requires at least one scoping meeting for an EIS. At least 15 days must be allowed after public notification before a scoping meeting may be held.

7.1.5.3 The COR or NDM in consultation with NCO:

- 7.1.5.3.1 Ensures that at least one public scoping meeting is held and that the scoping process is in accordance with the CEQ Regulations and DOE NEPA Rule.
- 7.1.5.3.2 Reviews for accuracy of facts, grammar, spelling, and format of all briefing materials that pertain to the project, the Draft Environmental Impact Statement (DEIS), press releases, and public notices before they are sent to HQ for approval or released to the public.
- 7.1.5.3.3 Participants in community outreach and public information activities such as meetings with interested environmental groups and affected individuals. Ensure that the project is diligent in its effort to involve the public.
- 7.1.5.3.4 Ensures that a mailing list of all interested individuals and groups is started early in the EIS preparation process and maintained throughout the process.
- 7.1.5.3.5 Reviews the qualifications of the Community Relations or Public Information Specialist the contractor assigns to the task of organizing meetings.
- 7.1.5.3.6 Reviews the scoping meeting locations for adequate room and security.
- 7.1.5.3.7 Reviews the task descriptions of each person involved in holding the meeting, ensuring that there are media coordinators, speaker sign-up attendants, information table attendants, a meeting moderator, a recorder or court reporter, setup assistance, and an overall meeting manager in charge of all aspects of the meeting.
- 7.1.5.3.8 Provides liaison support between the contractor, EIS contractor, and DOE project personnel in scheduling the scoping meetings.
- 7.1.5.3.9 Attends the scoping meetings and/or performs as a panel member accepting comments on the proposed project.

7.1.5.4 The results of the scoping process are reviewed after the close of the scoping period. The COR and NDM in consultation with NCO will:

- 7.1.5.4.1 Review all written and oral public comments submitted from the scoping period.
- 7.1.5.4.2 Participate in resolving public comments, in developing the scope of the EIS, and the alternatives that will be addressed in the EIS.

#### 7.1.6 Prepare Preliminary Draft EIS in consultation with NCO

The NDM will manage the preparation of the Preliminary DEIS that describes the Purpose and Need for the action, the alternatives (including no action), and the existing/affected environment; and evaluates the environmental consequences of the alternatives. The Preliminary DEIS should provide a complete analysis of all data and impacts of the proposed action and alternatives and recommend mitigation, if necessary, in compliance with CEQ and DOE's NEPA implementing regulations (40 CFR 1500 *et seq.* and 10 CFR 1021). The depth of analysis and discussions of impacts should be relative to the level of significance. Each resource evaluated should contain a description of the impact methodology used in analysis of the resource/issue area, general discussion of effects on resources, impacts specific to the project, and mitigation measures, where necessary. The Preliminary DEIS should include a description of the location of the action, figures depicting project location, and the proposed action and alternatives, and a description of any environmentally sensitive areas that may be impacted.

The Preliminary DEIS should be prepared in accordance with the *Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements*, second edition, December 2004. [http://www.eh.doe.gov/nepa/tools/guidance/green\\_book2004\\_12\\_30\\_final.pdf](http://www.eh.doe.gov/nepa/tools/guidance/green_book2004_12_30_final.pdf).

The following is a recommended outline for an EIS as specified in 40 CFR 1502.10.

- Cover sheet
- Summary
- Table of Contents
- Purpose of and need for action
- Alternatives including proposed action
- Affected environment
- Environmental consequences
- List of preparers
- List of Agencies, Organizations, and persons to whom copies of the statement are sent
- Index
- Appendices (if any)



### 7.1.7 Conduct Internal Review of Preliminary DEIS

7.1.7.1 Upon receipt of the Preliminary DEIS from the NDM, the EMCBC/SLA NEPA NCO reviews the document to ensure the following elements:

- 7.1.7.1.1 A clear statement of the purpose, a complete description of the project, a description of the need for the project, and relevant background information;
- 7.1.7.1.2 A description of reasonable alternatives (always Including the no action alternative) to the proposed action under consideration, and a description of alternatives considered and rejected;
- 7.1.7.1.3 A description of existing/affected environment at the location of the action;
- 7.1.7.1.4 An analysis of any potential environmental issues associated with the proposed action and the alternatives;
- 7.1.7.1.5 A section on permit compliance that identifies any permits that will be required in order to perform the action;
- 7.1.7.1.6 Grammar, spelling, and format. Provides comments to and confers with the NDM before returning the EIS for revision;
- 7.1.7.1.7 All sections of the preliminary DEIS to ensure the overall quality of the document;
- 7.1.7.1.8 The preliminary DEIS complies with the requirements established in accordance with the CEQ Regulations and DOE NEPA Rule;
- 7.1.7.1.9 Adequate peer reviews and conducts to ensure the quality of the technical material in the document; and
- 7.1.7.1.10 Technical reviews and ensures that all comments are addressed prior to publication for public review.

### 7.1.8 Prepare Concurrence DEIS

The NDM will manage the preparation of the Concurrence DEIS. The Concurrence DEIS will incorporate all internal and cooperating/interagency comments received on the Preliminary DEIS and address any outstanding

data or analysis issues that were in the Preliminary DEIS. After a thorough quality assurance review to ensure that all comments and/or outstanding issues were addressed, the Concurrence DEIS is sent by the COR or NDM to the NCO, OCC, and EMCBC/SLA Director for review and approval. The COR and NDM prepares a cover memorandum transmitting the DEIS from the Director to the SO. The Director transmits the DEIS to the SO.

The NDM will coordinate the resolution of all comments on the Concurrence DEIS. Comments/changes provided during the Concurrence phase should be incorporated and Change pages issued for the Concurrence DEIS.

**NOTE:** Reviews are repeated until all comments on the Concurrence DEIS are resolved.

#### 7.1.9 Publish and Distribute DEIS

The DEIS provides a mechanism for obtaining public input on a proposed action. Upon receipt of approval on the Concurrence DEIS, the NDM or contractor will prepare a DEIS for distribution to the public. The NDM or contractor will arrange to have the DEIS bound and will distribute the DEIS to Federal, State, local, and tribal governments, the public, and other interested stakeholders.

4.1.9.1 *Note of Availability.* The NDM must use appropriate means to publicize the availability of the DEIS. The DEIS shall be filed with the Environmental Protection Agency (EPA), Office of Federal Activities (A-104), 401 M Street SW, Washington, , D.C. 20460. Statements shall be filed with EPA no earlier than they are also transmitted to commenting agencies and made available to the public. EMCBC/SLA sites may publish a separate notice of availability that provides additional information, such as public hearing schedules and how to obtain copies of the DEIS.

**NOTE:** The Office of General Counsel files the DEIS with the EPA. The EPA publishes a filing notice in the Federal Register.

#### 7.1.10 Hold Public Meeting on DEIS

The public and interested agencies will have at least 45 days to review and comment on the DEIS. Regulatory requirements and recommendations for public participation activities related to the DEIS are presented in Section 5 of *Effective Public Participation under the National Environmental Policy Act* and Appendix F, EMCBC NEPA IP-451-06, Public Participation Under the NEPA Process.

The NDM or contractor will prepare a project-specific public participation plan which will consider the following:

- 7.1.10.1 The amount of time reserved for legislators and representatives of organizations.
- 7.1.10.2 The length of time each individual will be allowed to speak. This is critical. In order to ensure fairness to all, scheduled speaking times must be set and enforced. Representatives for a group sometimes are allowed to speak for longer time intervals than individuals.
- 7.1.10.3 The types of presentations that will be allowed (e.g. skits, songs, or other dramatic presentations).
- 7.1.10.4 The use of court reports and facilitators.
- 7.1.10.5 Method for presenting and preserving comments for the record.
- 7.1.10.6 Allowances for media and media equipment.
- 7.1.10.7 Having a question and answer period. These may be difficult to manage. DOE personnel must be knowledgeable both about the project and DOE policy in relation to the project. Answers must be consistent.
- 7.1.10.8 Meeting room logistics (i.e., arrangement and staffing).

The NDM will in consultation with the NCO:

- 7.1.10.9 Select all locations for public hearings for adequacy, comfort, and security.
- 7.1.10.10 Review all planning documents for public hearing(s), including seating arrangements, task descriptions, hearing rules, fact sheets for public distribution, and room and meal arrangements to ensure that the EIS contractor is making adequate plans for the hearing.
- 7.1.10.11 Meet with DOE and other agency security personnel and contractor- hearing personnel to ensure communication is clear.
- 7.1.10.12 Meet with contractor personnel, DOE security personnel, and the hearing moderator to establish the format of the hearings.
- 7.1.10.13 Ensure a telephone line is manned, at least during business hours, for comments and hearing/speaking appointments. Some projects use a 24-hour 800 number with an answering machine.

- 7.1.10.14 Ensure the participating DOE officials are adequately briefed on the project. Prepares practice questions as needed.
- 7.1.10.15 Assist the DOE Public Affairs Officer with arranging press conferences and attends them, as appropriate.
- 7.1.10.16 Attends all hearings and participates on the DOE panel (usually DOE management and DOE project personnel) as appropriate.
- 7.1.10.17 Review lessons learned from each hearing.

7.1.11 Incorporate Comments and Prepare Concurrence Final Environmental Impact Statement in consultation with NCO

Preparation of the Final EIS (FEIS) should begin shortly after the commencement of the public comment period on the DEIS because changes will occur based on comments received on the DEIS. The preparation of the FEIS includes incorporating public comments and preparing the Concurrence FEIS for review and approval and a FEIS for distribution.

Comments on the DEIS will be compiled by the NDM. The NDM will:

- 7.1.11.1 Ensure that all public comments are addressed (responded to or dismissed with justification).
- 7.1.11.2 Coordinate resolution of all issues raised during the public comment period.
- 7.1.11.3 Ensure the Concurrence FEIS incorporates public comments and includes a section containing a response to public comments. (See the CEQ Regulations and the DOE NEPA Rule on how the FEIS can incorporate public comments).
- 7.1.11.4 Ensure that any responsible opposing viewpoints that were not discussed in the draft are discussed in the final statement.
- 7.1.11.5 Review all sections of the Concurrence FEIS to ensure it complies with the requirements for an EIS in accordance with NEPA, the CEQ Regulations, and the DOE NEPA Rule.
- 7.1.11.6 Ensure that an Executive Summary of the EIS is prepared (under separate cover from the FEIS, if appropriate).
- 7.1.11.7 Review the Executive Summary for overall quality and ensures that it accurately reflects what was declared in the statement.

7.1.11.8 Ensure that adequate peer reviews are conducted to ensure quality and technical content of the document and coordinate technical reviews.

7.1.11.9 Transmit the Concurrence FEIS to the NCO, OCC and EMCBC/SLA Director for review and approval.

**NOTE:** Reviews are repeated until all comments on the Concurrence FEIS are resolved.

7.1.11.10 Once EMCBC/SLA approval is received on the Concurrence FEIS, the EMCBC/SLA Director transmits the FEIS to the SO.

#### 7.1.12 Publish and Distribute FEIS

Upon receipt of approval on the Concurrence FEIS from DOE HQ, the NDM or contractor will prepare the FEIS for distribution to the public. The NDM or contractor will arrange to have the final version of the FEIS bound and distributed to Federal, State, local, and tribal entities as well as the public and other interested stakeholders.

**NOTE:** The Office of General Counsel files the FEIS with the EPA. EPA publishes a filing notice in the Federal Register. A 30 day waiting period commences.

7.1.12.1 *Notify Public.* The NDM coordinates release of information on the FEIS and with the DOE Public Information Office. The NDM should make sure that the Notice of Availability (NOA) is published in the local newspapers. The NOA should state where copies of the FEIS are available and provide an address for individuals who want to request a copy.

7.1.12.2 *Provides FEIS to DOE Information Center.* The NDM ensures that copies of the EIS are delivered to the DOE Information Center before a press release or NOA announces its availability. The EIS is available for the public to read or obtain copies (at a cost of 10 cents per page) at the DOE Information Center. The NDM in consultation with the NCO will also transmit three hard copies and the electronic file(s) to Director, Office of NEPA Policy and Compliance (GC-20), U.S. Department of Energy, Room 3E-094, 1000 Independence Ave., SW, Washington, D. C. 20585 for placement on the DOE NEPA website). A Document Certification and Transmittal Form (<http://www.eh.doe.gov/nepa/docs/certificationformupdate2004.pdf>) should be included and electronic files submitted in one of the following formats (e.g., Microsoft Word, WordPerfect) and publishing method (HTML, PDF, or combination).

### 7.1.13 Prepare Record of Decision and Mitigation Action Plan

The Office of General Counsel makes a decision on the proposed action, and the COR or NDM in consultation with the NCO organizes the preparation of the ROD, no sooner than 90 days after a DEIS is circulated and no sooner than 30 days after the FEIS is circulated.

The NDM in consultation with NCO:

- 7.1.13.1 Ensures that a ROD is prepared for publication in the Federal Register.
- 7.1.13.2 Prepare a cover memorandum transmitting the FEIS, ROD, and MAP from the Director to the SO.
- 7.1.13.3 Participates in community outreach and public information activities such as meetings with interested environmental groups and exhibits. Ensure that the project is diligent in its effort to involve the public.
- 7.1.13.4 Ensures that a mailing list of all interested individuals and groups is maintained throughout the process and submitted into the administrative record.
- 7.1.13.5 Reviews the ROD to ensure compliance with the CEQ Regulations and the DOE NEPA Rule.
- 7.1.13.6 Reviews the ROD for overall quality and to ensure that it accurately summarizes the facts contained in the FEIS about the proposed action, alternatives, and decisions made concerning the alternatives.

NOTE: A MAP, as defined in the DOE NEPA Rule, should be prepared and submitted with the ROD. DOE HQ approves the ROD.

The COR or NDM in consultation with NCO:

- 7.1.13.7 Reviews the MAP for overall quality and to ensure it complies with the requirements for a MAP set forth in the DOE NEPA Rule.
- 7.1.13.8 Transmits the Concurrence FEIS to the NCO, OCC, and EMCBC/SLA Director for review and approval.

The EMCBC/SLA Director:

- 7.1.13.9 Transmits the FEIS, ROD, and MAP to the SO.
- 7.1.13.10 Reviews the Federal Register announcement of the ROD.

**NOTE:** No action shall be taken until the decision has been made public.

- 7.1.13.11 Distribute the ROD, FEIS, MAP, or any combination therefore, to interested DOE officials, DOE reading rooms, interested individuals, and agencies with jurisdiction or expertise, states, and special interest groups.
- 7.1.13.12 Monitors and enforces any mitigation commitments made pursuant to the ROD, as the proposed action commences. If the action is not implemented according to the EIS, consult with the SO and GC-20. Implement any necessary corrective actions.
- 7.1.13.13 Provides the Office of General Counsel with an annual report on mitigation activity monitoring.

7.1.14 Prepare Supplement Analysis (SA)

A SA is prepared to assess the need for a Supplemental EIS. The SA will contain sufficient information for the EMCBC/SLA Director to determine whether: (1) an existing EIS should be supplemented; (2) a new EIS should be prepared; or (3) no further NEPA documentation is required.

The NCO or NDM:

- 7.1.14.1 Decides if a SA is required to determine (1) if impacts of a new action has been evaluated in an EIS; (2) if a new action is a substantial change from a previously evaluated proposal; or (3) if new information could change the environmental impacts assessed for a proposed action in a Draft or Final EIS.
- 7.1.14.2 Prepares the SA with support from Contractor.
- 7.1.14.3 Makes copies of SA available in appropriate reading rooms or other appropriate locations for a reasonable time.

The EMCBC/SLA Director:

7.1.14.4 Reviews the SA to determine that it adequately discusses the circumstances pertinent to deciding if a Supplemental Environmental Impact Statement (SEIS) is needed.

7.1.14.5 Approves the SA if the analysis is adequately bounded.

7.1.15 Prepare Supplemental EIS

SEIS are prepared when there are substantial changes to a proposal or significant new circumstances or information relevant to environmental concerns. The CEQ Regulations and the DOE NEPA Rule contain the regulations guiding preparation of a SEIS. The process for preparing SEIS is the same as the EIS process shown in Attachment A, of this procedure.

The NDM in consultation with the NCO:

7.1.15.1 Determines if a SEIS is necessary.

7.1.15.2 Determines if scoping is necessary. Regulatory requirements and recommendations on SA and SEIA are presented in Section 7 of *Effective Public Participation under the National Environmental Policy Act*. Scoping is optional for SEIS.

7.1.15.3 Oversees the preparation, review, and circulation of a SEIS in the same manner as an EIS.

7.1.15.4 Ensures that the supplement analysis complies with the requirements of a DEIS and FEIS as set forth in the CEQ Regulations and DOE NEPA Rule.

7.1.16 Compile Administrative Record (AR)

The NDM or contractor will maintain an AR throughout the EIS process. The AR should include correspondence with cooperating agencies, documents related to key decisions, meeting records, input from the public, written technical direction from EMCBC/SLA contractors, documentation on assumptions associated with alternatives, data sources or data used to make assumptions for analysis, personal communications that were used in the EIS, memoranda on rationale for any major changes to the EIS or supporting analysis, response letters to commenter's, NOI correspondence, public notices, copies of all postal or delivery services records of delivery, and the decision document.



8.0 RECORDS MAINTENANCE

8.1 All records generated by this procedure shall be prepared, maintained, and stored in concordance with DOE O 200.1, Information Management Program.

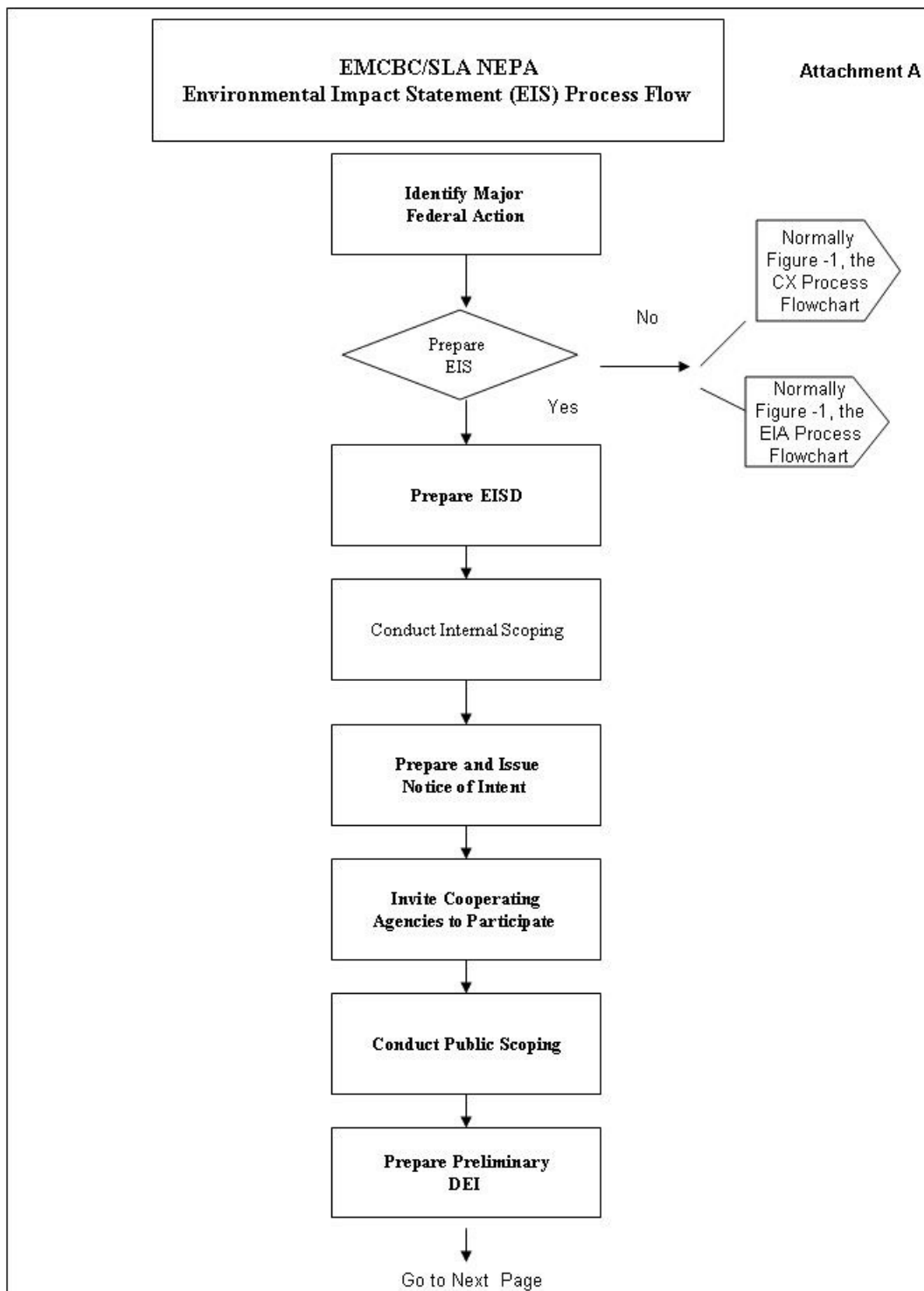
8.2 All records are required to comply with the EMCBC IP 243-03, Identification, Filing, and Maintaining Records.

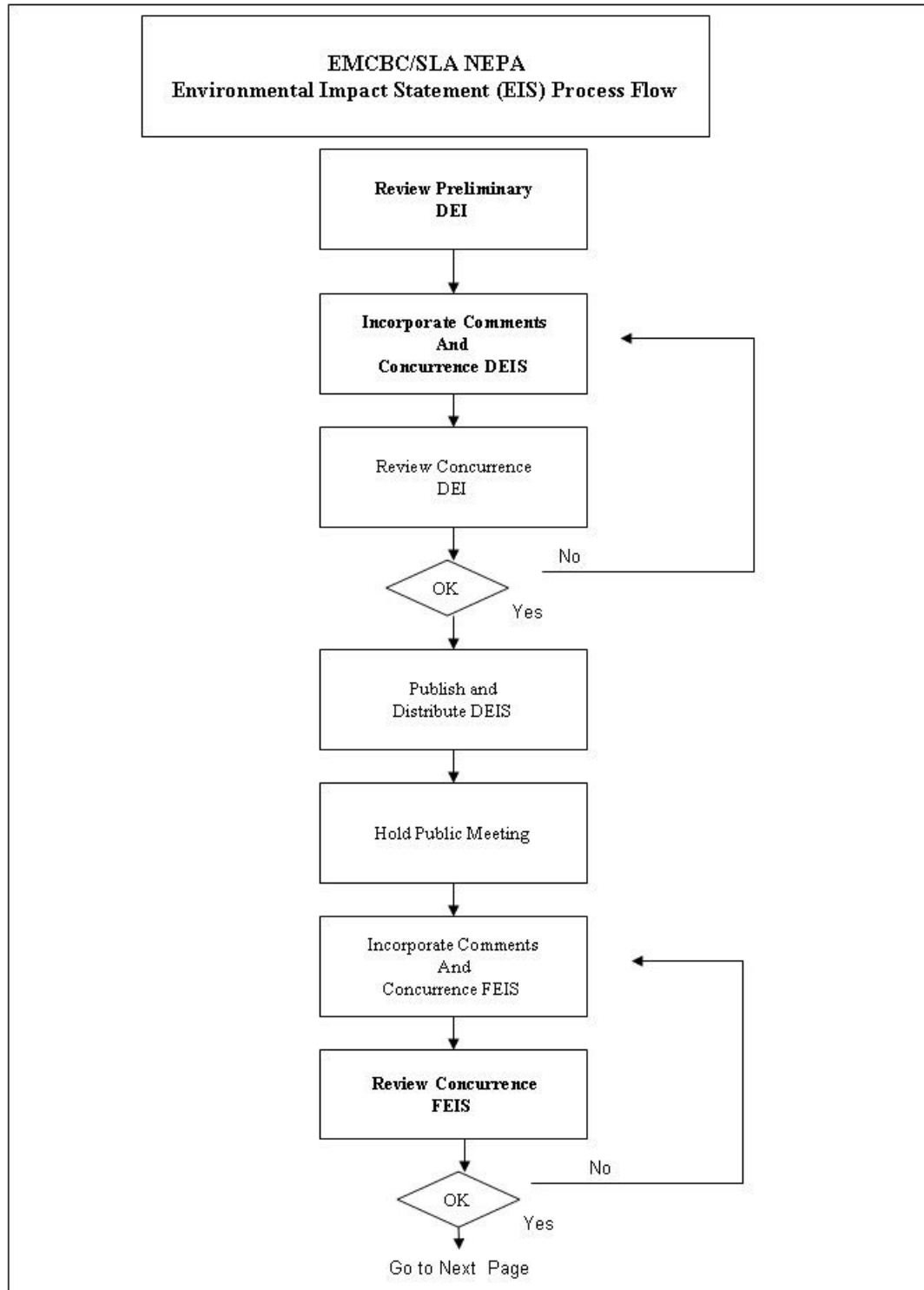
9.0 FORMS USED – N/A

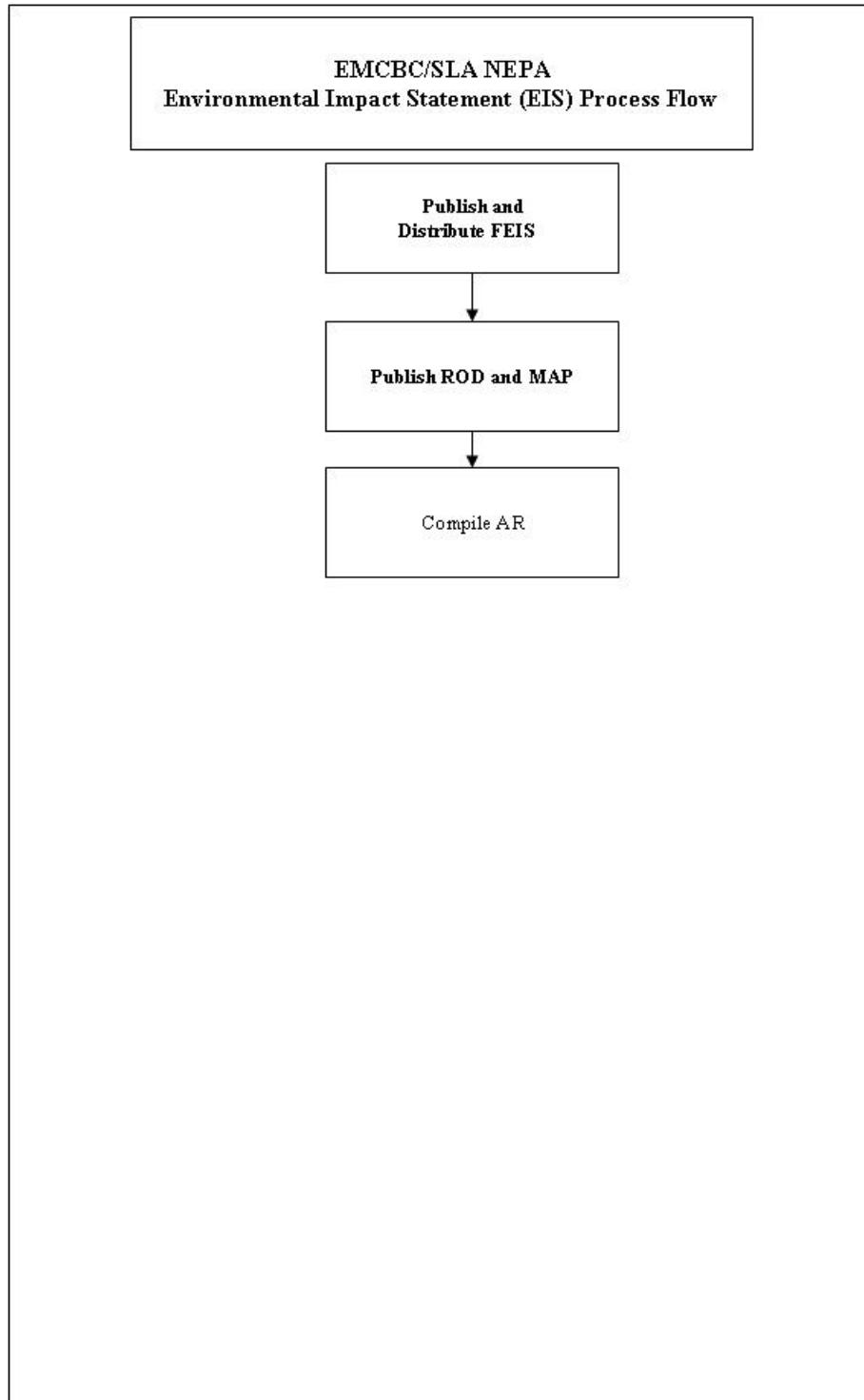
10.0 ATTACHMENTS

10.1 Attachment A - EMCBC/SLA EIS Process Flow

11.0 FLOWCHART – Attached as Attachment A







**EMCBC RECORD OF REVISION****DOCUMENT**

If there are changes to the controlled document, the revision number increases by one. Indicate changes by one of the following:

- I Placing a vertical black line in the margin adjacent to sentence or paragraph that was revised.
- I Placing the words GENERAL REVISION at the beginning of the text.

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<b>Rev. No.</b>	<b>Description of Changes</b>	<b>Revision on Pages</b>	<b>Date</b>
1	Initial Procedure	All	06/02/08